

UNITED STATES DISTRICT COURT

for the
Western District of Texas

United States of America

v.

JOAO VICTOR OLIVEIRA-EUGENIO

Defendant(s)Case No. **EP-24-MJ-** 6 **-ATB**

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 28, 2023 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*

8 U.S.C. 1326(a)

Offense Description

an alien, who had previously been excluded, deported, and removed from the United States, attempted to enter, entered, and was found in the United States, without having previously received consent to reapply for admission from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4) and 557.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

Carlos Valenzuela CBPO- Enforcement

Printed name and title

Sworn to before me and signed in my presence.

Date: January 2, 2024City and state: El Paso, Texas

Judge's signature

Anne T. Berton U.S. Magistrate Judge

Printed name and title

Complaint sworn to telephonically on
January 02, 2024 at 1:38 PM and signed
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

FACTS

On or about December 28, 2023, the DEFENDANT, JOAO VICTOR OLIVEIRA-EUGENIO a native and citizen of Brazil, attempted to elude inspections from U.S Customs and Border Protection Officers (CBPO) and was found in the United States (U.S) as a stowaway through the Union Pacific (UPRR) Rail Crossing in El Paso, Texas, located in the Western District of Texas.

Customs and Border Protection Officer (CBPO) Ramirez, G was conducting X-ray scanning of the train traveling from Mexico into the U.S. when he received information that there were individuals inside an auto rack. At that time, (UPRR) personnel were instructed by CBP Officers to stop the train for inspection. CBP Officers Boyle, Lopez, Hernandez and Torres conducted an intensive inspection on the auto rack and discovered the DEFENDANT and four other individuals hiding under the truck axles. At that point, the DEFENDANT was apprehended. CBPOS asked the DEFENDANT for his citizenship which he stated his true name, date of birth and that he was from Brazil. The DEFENDANT was transported to Paso Del Norte Port of Entry, Passport Control Secondary (PCS) for further processing.

In PCS, the DEFENDANT's fingerprints were digitally scanned and revealed his identity. Further queries revealed the DEFENDANT was removed from the United States to Brazil on or about 11/21/2019. The DEFENDANT was served with Form I-214 Warning as to Rights with the assistance of a Foreign Language Interpreter which he read, signed and provided a sworn statement. During a sworn statement, the DEFENDANT admitted being a citizen of Brazil not in possession of any legal documents with which to enter, reside or seek employment in the United States. The DEFENDANT admitted under oath that his intentions were to travel to Florida to seek employment. The DEFENDANT was in possession of his Brazilian passport which revealed his identity. Database records indicate the DEFENDANT has not applied for, nor received permission from the U.S. Attorney General or the Secretary of Homeland Security to reapply for admission into the United States.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

Immigration Record

On or about November 21, 2019 –Removed from Houston, Texas to Brazil.

Criminal/Arrest Record:

None.